

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1369 - HB 1442

February 24, 2021

SUMMARY OF BILL: Prohibits a claim against any person for loss, damage, injury, or death arising from COVID-19, unless the claimant proves by clear and convincing evidence that the person proximately caused the loss, damage, injury, or death by an act or omission constituting gross negligence or willful misconduct for delaying or modifying the schedule or performance of any dental procedure.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Per the language of this legislation, the state does not waive its sovereign immunity for any loss, damage, injury, or death arising from COVID-19 for delaying or modifying the schedule or performance of any dental procedure unless the claimant proves by clear and convincing evidence that the loss, damage, injury, or death was caused by an act or omission of the state or an employee or agent of the state constituting gross negligence. Further, there is no claim unless the claimant proves by clear and convincing evidence that the person caused the loss, damage, injury, or death by an act or omission constituting gross negligence or willful misconduct.
- Any impact resulting from this legislation will be borne by private parties to civil actions.
- This legislation will not significantly impact courts' caseloads; therefore, enactment of this legislation will not result in a significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic".

Bojan Savic, Interim Executive Director

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